

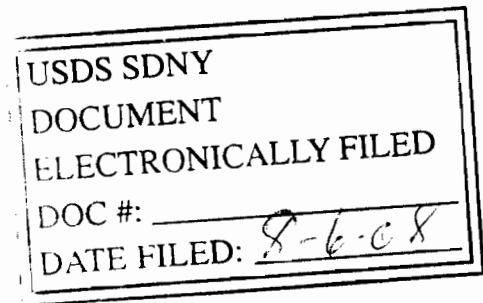
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MPH/NEK/S

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
By: SHARON E. FRASE (SF-4906)
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New York, New York 10007
(212) 637-2329

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----x

UNITED STATES OF AMERICA :

-v.- :

\$57,300.00 IN FUNDS FORMERLY ON :
DEPOSIT AT COMMUNITY STATE BANK, :
IN AVILLA, INDIANA, IN ACCOUNT NO. :
██████████6190, HELD IN THE NAME OF R.P. :
GLOBAL, LTD., AND ALL FUNDS :
TRACEABLE THERETO, :

Defendant in rem. :

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STIPULATION AND ORDER
OF SETTLEMENT

07 Civ. 9937 (VM)

WHEREAS, on or about May 11, 2007, the Honorable Michael H. Dolinger, United States Magistrate Judge for the Southern District of New York, issued a seizure warrant for the contents of account number ██████████6190 at Community State Bank in Avilla, Indiana, held in the name of R.P. Global Ltd., up to and including \$57,300.00, and all funds traceable thereto, on the ground that there was probable cause to believe that such funds were subject to forfeiture to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(A), 981(a)(1)(C), and 984, as property constituting and derived from proceeds of mail and wire fraud in

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violation of 18 U.S.C. §§ 1341 and 1343, and property involved in actual or attempted money laundering transactions, in violation of 18 U.S.C. §§ 1956 and 1957, or as property traceable to such property; and

WHEREAS, on or about May 11, 2007, Community State Bank issued a check for approximately \$57,300.00 (the "Seized Funds") to the United States Marshals Service ("USMS") to be held pursuant to the seizure warrant; and

WHEREAS, the Federal Bureau of Investigation ("FBI") initiated an administrative forfeiture action against the Seized Funds by serving notice of the action; and

WHEREAS, R.P. Global Ltd., the only entity known to the Government to have an interest in the Seized Funds (the "Claimant"), thereafter filed, through its counsel, a claim with the FBI opposing the forfeiture; and

WHEREAS, in light of the administrative claim, on November 9, 2007, the United States commenced a civil action for the forfeiture of the Seized Funds by the filing of a verified complaint; and

WHEREAS, the Claimant, admitting no wrongdoing in connection herewith, has agreed to settle this matter; therefore

IT IS HEREBY STIPULATED AND AGREED:

1. The Claimant agrees that \$37,300.00 of the Seized

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Funds shall be forfeited to the United States, pursuant to 18 U.S.C. §§ 981(a)(1)(A), 981(a)(1)(C), and 984, without admitting any liability thereunder.

2. The balance of the Seized Funds, consisting of \$20,000.00, shall be returned to the Claimant, through a check issued by the USMS, and made payable to R.P. Global Ltd., c/o Richard DePalma, Esq., Baker & McKenzie LLP, 1114 Avenue of the Americas, New York, NY 10036. Such check shall be issued as soon as possible, but no later than two months after the Court's entry of this Stipulation and Order.

3. Upon entry of this Stipulation and Order, \$37,300.00 of the Seized Funds shall be forfeited to the United States for disposition according to law.

4. The Claimant is hereby barred from asserting any claim against the United States or any of its agents and employees (including, without limitation, the USMS, FBI and the United States Attorney's Office for the Southern District of New York ("USAO")) in connection with or arising out of the United States' seizure, restraint, and/or constructive possession of the Seized Funds, including, without limitation, any claim that the United States did not have probable cause to seize and/or forfeit the Seized Funds, that the Claimant is a prevailing party or that the Claimant is entitled to attorney's fees or any award of interest.

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5. Claimant represents that it is the sole owner of the Seized Funds and agrees to hold harmless the United States and any and all of its agents and employees (including, without limitation, the USMS, the FBI and the USAO) from any and all claims, including, without limitation, third-party claims, in connection with or arising out of the United States' seizure, restraint, and/or constructive possession of the Seized Funds.

6. The parties hereby waive all rights to appeal or to otherwise challenge or contest the validity of this Stipulation and Order.

7. This Stipulation and Order shall in no way be deemed an admission of culpability, liability, or guilt on behalf of the Claimant or of the plaintiff United States or any of their respective agents, officers or employees, past and present. Further, this Stipulation and Order shall in no way constitute any reflection upon the merits of the claim and defenses asserted respectively by the United States and the Claimant.

8. The signature pages of this stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument and facsimile signatures shall be acceptable in lieu of original signatures.

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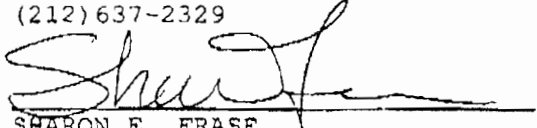
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9. Each party shall bear its own costs and attorney's fees.

Agreed and consented to:

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Plaintiff
One St. Andrew's Plaza
New York, NY 10007
(212)637-2329

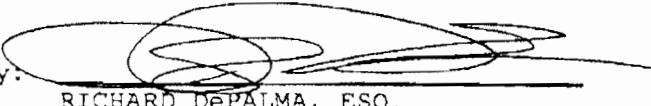
By:


SHARON E. FRASE
Assistant United States Attorney

5/12/08
DATE

R.P. GLOBAL LTD.
CLAIMANT


By:


RICHARD DePALMA, ESQ.

7/2/08
DATE

Baker & McKenzie LLP
1114 Avenue of the Americas
New York, NY 10036

SO ORDERED:


HONORABLE VICTOR MARRERO
UNITED STATES DISTRICT JUDGE

6 August 2008
DATE